

EXHIBIT B

API Declaration

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

I, Will Hupman, declare as follows:

2. I am over 18 years old. This Declaration is based upon my personal knowledge and/or upon my review of business records of API.

1 marketing petroleum and natural gas products. API members support more than 11
2 million U.S. jobs and provide a majority of the nation's energy supply.

3 4. API's members include large integrated energy companies, independent
4 producers, refiners, pipeline operators, marketers, and marine transporters. API has
5 members who sell fuel, including Chevron Corporation, Exxon Mobil Corporation,
6 and Marathon Petroleum Corporation. Those and other members' sales will be
7 reduced, causing monetary injury, if California's waivers are reinstated because
8 reinstatement of the waivers would allow California and Section 177 states to enforce
9 strict electric vehicle mandates and tailpipe emissions standards. These mandates
10 would reduce the market for liquid transportation fuels, impacting the business
11 operations of API's fuel-producing and fuel-distributing members. The resulting
12 patchwork of state-level rules would also fragment the national fuels market, create
13 compliance burdens, and disrupt the supply chains on which API's members rely. In
14 addition, consumer choice of vehicle type, including API members who purchase
15 vehicles, will be curtailed in both California and Section 177 states should the waivers
16 be reinstated.

17 5. API regularly engages in advocacy and litigation to protect its members
18 from laws and regulations that impose unlawful or unconstitutional burdens on their
19 operations. API's mission includes ensuring that its members can continue to provide
20 affordable and reliable energy to U.S. consumers without undue interference or
21 economic harm from unlawful regulatory actions.

22 6. I am familiar with the vehicle emissions control waivers that the United
23 States Environmental Protection Agency (EPA) granted to California between 2023
24 and 2025. These waivers authorized California to enforce its Advanced Clean Cars II,
25 Advanced Clean Trucks, and Omnibus Low NOx regulations. *See* 88 Fed. Reg.

1 20,688 (Apr. 6, 2023); 90 Fed. Reg. 642 (Jan. 6, 2025); 90 Fed. Reg. 643 (Jan. 6,
2 2025).

3 7. I am also aware that Congress recently exercised its authority under the
4 Congressional Review Act to disapprove EPA's decisions to grant these waivers. On
5 June 12, 2025, the President signed joint resolutions of disapproval passed by both
6 the House and the Senate. These resolutions lawfully nullified EPA's waiver grants
7 to California, preventing the enforcement of California's Advanced Clean Cars II,
8 Advanced Clean Trucks, and Omnibus Low NOx regulations.

9 8. EPA's decisions to grant these waivers and Congress's disapproval of
10 them have an impact on the interests of API's members.

11 9. API's members sell refined petroleum products throughout California
12 and in other States that had previously adopted California's standards. API members
13 also own and operate refining and distribution infrastructure that supplies these
14 markets. California and allied States collectively represent a substantial share of the
15 national market for gasoline and diesel.

16 10. California standards in each of the disapproved waivers would have
17 reduced API's members' sales and diminished asset utilization. Accordingly, the
18 outcome of this litigation is important to API and its members.

19 12. API has maintained regular communication with its members regarding
20 these waivers and the legal developments surrounding them. API is well-positioned
21 to represent the collective interests of its members in this litigation.

22 I declare under penalty of perjury that the foregoing is true and correct to the
23 best of my knowledge, information, and belief.

24 Executed this 6th day of August, 2025, in Washington, D.C.

25
26 
27 Will Hupman

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**DECLARATION OF WILL HUPMAN IN
SUPPORT OF PROPOSED INTERVENORS'
MOTION TO INTERVENE, NO. 4:25-cv-04966**